

Date: Sun, 10 Jul 94 04:30:15 PDT  
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>  
Errors-To: Ham-Policy-Errors@UCSD.Edu  
Reply-To: Ham-Policy@UCSD.Edu  
Precedence: Bulk  
Subject: Ham-Policy Digest V94 #303  
To: Ham-Policy

Ham-Policy Digest                    Sun, 10 Jul 94                    Volume 94 : Issue 303

Today's Topics:

Existing regulations limit our advancement. (2 msgs)

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>  
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>  
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available  
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text  
herein consists of personal comments and does not represent the official  
policies or positions of any party. Your mileage may vary. So there.

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Date: Sat, 09 Jul 1994 03:33:00 EST  
From: ihnp4.ucsd.edu!swrinde!howland.reston.ans.net!usenet.ins.cwru.edu!  
ns.mcs.kent.edu!kira.cc.uakron.edu!malgudi.oar.net!wariat.org!amcomp!  
dan@network.ucsd.edu  
Subject: Existing regulations limit our advancement.  
To: ham-policy@ucsd.edu

drt@world.std.com (David R Tucker) writes:

>Bob Wilkins n6fri (rwilkins@ccnet.com) wrote:  
>: Michael P. Deignan (md@pstc3.pstc.brown.edu) wrote:  
>  
>: : It is quite impossible for someone making a reverse patch to "key"  
>: : the transmitter. The automatic control operator must determine that  
>: : the phone is ringing (that voltage fluctuation I spoke of.)  
>  
>: Many automatic repeater controllers allow the caller to key the  
>: transmitter. Most controllers will signal out on the repeater that a  
>: caller is present on the phone line. Some controllers have a paging  
>: sequence of tones or voice that can indicate for whom the call is  
>: intended.  
>

>: Are all telephone users including amateurs concidered as third parties  
>: when making a reverce autopatch?

No they are NOT. Read Part 97.3 (a) (39).

>  
>Yes, exactly! Same for a forward autopatch, \*if\* they're not  
>controlling a transmitter.  
>  
>If you're talking on an amateur frequency, and you're not controlling  
>a transmitter, you are by default a third party.

Not as defined in 97.3 (a) (39). That is NOT necessarily third party communications.

Dan

--

"Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, GIVE ME LIBERTY, OR GIVE ME DEATH!" -Patrick Henry, Virginia House of Burgesses on March 23, 1775  
=+=+> Ted Kennedy's car has killed more people than my gun! - Me

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Date: Sat, 09 Jul 1994 03:22:00 EST

From: ihnp4.ucsd.edu!agate!usenet.ins.cwru.edu!ns.mcs.kent.edu!kira.cc.uakron.edu!  
malgudi.oar.net!wariat.org!amcomp!dan@network.ucsd.edu

Subject: Existing regulations limit our advancement.

To: ham-policy@ucsd.edu

drt@world.std.com (David R Tucker) writes:

>Michael P. Deignan (md@pstc3.pstc.brown.edu) wrote:  
> In article <CsMDwn.I04@world.std.com>,  
> drt@world.std.com (David R Tucker) writes:  
>  
> |> I'm still having trouble. Say the repeater is quiet. Someone  
> |> attempts a reverse patch. As a direct consequence, an amateur  
> |> transmitter is keyed and begins radiating a signal, and there is no  
> |> guarantee that the person keying the transmitter is even licensed.  
>  
> The person making the reverse patch phone call isn't keying the transmitter.  
>  
>How'ja figure?

The controller is the ONLY thing that keys the transmitter regardless of the 'stimuli' that causes the controller to do so.

>: The automatic control operator is monitoring the status of voltage on  
> a circuit, and detects a variation in that voltage. The automatic  
> control operator has instructions that when this type of voltage  
> fluctuation occurs that it should transmit a fluttering tone over  
> the repeater output.  
>  
>Huh? The same thing could be said for the TR switch in your  
>transceiver. That doesn't mean you're not keying it by pressing the  
>mic button. "It wasn't me who transmitted, it was my voltage-sensing  
>circuitry!" Nonsense.

As you point out later, the CONTROL OPERATOR is responsible for the proper operation of the station INCLUDING WHEN UNDER AUTOMATIC CONTROL (or control of that relay).

>If someone calls the reverse autopatch, it results in RF being  
>generated on an amateur band which is not under the control of any  
>licensed control operator. That's illegal. End of story.

It IS under control of a licensed control operator who is NOT at a control point of the transmitter because that transmitter is under AUTOMATIC CONTROL (Part 97.3 Definitions).

>: My paragraph above could apply to a reverse autopatch, or an alarm  
> circuit monitoring the status of the repeater cabinet's doors. Or,  
> for that matter, the time of day, or temperature outside.  
>  
>Take care that your repeater doesn't become a beacon. Anyway, that  
>stuff is all under the trustee's control. Reverse patches, by  
>assumption in this case, are not under any licensee's control.

All repeaters are defacto beacons, by their very nature.

>: It is quite impossible for someone making a reverse patch to "key"  
> the transmitter. The automatic control operator must determine that  
> the phone is ringing (that voltage fluctuation I spoke of.)  
>  
>If the reverse patch doesn't key a transmitter, why does anyone care  
>about them? But they do, in fact, cause transmitters to transmit,  
>just as much as our transmitting on the input does so.

And the SAME control operator is there for BOTH!

>BTW, as explained elsewhere, machinery cannot be a control operator.  
>(What's your machinery's callsign??) Repeaters always have control  
>operators. Those without any licensed control operator must not  
>transmit, ever.\*

>  
>The only trick to \*automatic\* control is that the Control Operator,  
>who must be a live, licensed human being, need not be present at the  
>control point. (Read that again before replying.)

You just PROVED that your above statement is inaccurate. The controller  
can and does key the transmitter without a control operator at a control  
point. THAT IS the FCC (Part 97) definition of automatic control. Thus  
the 'machine' or controller keys the transmitter and NOT the caller.

> That doesn't mean  
>he doesn't exist - in fact, his license is still on the line for the  
>repeater's operation, and his call is usually given automatically, in  
>morse or recorded voice, at least every 10 minutes and at the end of  
>every communication, so it's easy to tell who it is.

And this is done AUTOMATICALLY by the MACHINE in automatic control, the  
SAME machine that keys the transmitter upon external input (the receiver,  
the cabinet switch, the temp indicator, the clock OR the reverse patch).  
The SAME control operator is responsible, with the system under automatic  
control.

>\* save for emergencies, of course

Of course.

>-drt  
>  
>-----  
David R. Tucker KG2S 8P9CL drt@world.std.com

>  
Dan  
--  
"Is life so dear, or peace so sweet, as to be purchased at the price  
of chains and slavery? Forbid it, Almighty God! I know not what  
course others may take, but as for me, GIVE ME LIBERTY, OR GIVE ME  
DEATH!" -Patrick Henry, Virginia House of Burgesses on March 23, 1775  
=+=+> Ted Kennedy's car has killed more people than my gun! - Me

-----  
Date: Sat, 09 Jul 1994 03:37:00 EST  
From: ihnp4.ucsd.edu!agate!usenet.ins.cwru.edu!ns.mcs.kent.edu!kira.cc.uakron.edu!  
malgudi.oar.net!wariat.org!amcomp!dan@network.ucsd.edu  
To: ham-policy@ucsd.edu

References <CsMEIs.KD4@world.std.com>, <070894162111Rnf0.78@amcomp.com>,

<CsnC1H.GoK@world.std.com>  
Subject : Re: Existing regulations limit our advancement.

drt@world.std.com (David R Tucker) writes:

>Oh, Dan, you missed the key line, even though you quoted it! :  
>  
>: >Well, every station needs a control operator (97.7). Under automatic  
>control, however, the control op need not be present at the control  
>point (97.109d).  
>  
>EVERY STATION MUST HAVE A CONTROL OPERATOR. PERIOD. A station under  
>automatic control need not have the control operator \*actually at the  
>control point\*, but it MUST have a control operator. He's the  
>licensee, usually, and the repeater IDs with his call or the call he  
>holds in trust.

Yep, you are right, I was all wet.

>: Since there is no control operator at a control point (of the repeater),  
>: as it is under automatic control, an autopatch is "second party traffic"  
>: and not 'third party traffic' as defined in part 97.  
>  
>Since the repeater station has a control operator at all times, there  
>are indeed 3 parties involved. Even if one of them is literally  
>asleep. The point of 97.109e is to require him (or someone!) to be  
>awake and at a control point, using local or remote control and not  
>automatic control, while his station is engaged in 3d party traffic.

Yep, I looked at it sideways, YOU are correct.

>: However, it would appear that 'traffic' nets, conveying third party  
>: communications can not be done over a repeater under automatic control. I  
>: think that the NTS guys would be upset to hear about that. Perhaps the  
>: ARRL guys could get the FCC to clarify or exempt voice repeaters from  
>: these restrictions.  
>  
>The only problem with that is that in this case the repeater is merely  
>retransmitting amateur signals, not handling third party traffic  
>itself. It's a bit of a fine point, but it is consistent.

Nope. Got to disagree here. The definition is "ON BEHALF of another person" traffic nets are ON BEHALF of third parties.

> The ops on  
>the input are doing the traffic handling, and can be held responsible  
>for breaking the rules. (Which of them is not controlling a  
>transmitter?)

Third party communications REQUIRE two control ops and are communication ON BEHALF of another. That IS what NTS is ALL ABOUT!

> During an autopatch, the \*repeater\* station, being the  
>one connected to the telephone lines and hence handling the 3d party  
>traffic itself, must have someone responsible at a control point to  
>ensure that the station is operating legally. If one user patched  
>another user into the telephone lines at his own station, rather than  
>using the repeater's patch, I don't think a repeater control operator  
>would be needed at a control point. There's already someone  
>controlling the interconnection.

As Gary pointed out unless it is digital, it can NOT be retransmitted by automatic control REGARDLESS where the third party communications originated. NO third party communications, except digital....., can be transmitted thur a station under automatic control. A control operator MUST be at a control point during ALL third party communications. Patches, NTS, or 'my little cousin wants to say HI...'.

>: Part 97.109 is an interesting rule and I have some real problems with the  
>: way it is worded. I will have to see if I can find a copy of the NPRM or  
>: other documentation as to the WHY it was enacted.  
>  
>I understand how you feel!

Ditto

Dan

--  
"Is life so dear, or peace so sweet, as to be purchased at the price  
of chains and slavery? Forbid it, Almighty God! I know not what  
course others may take, but as for me, GIVE ME LIBERTY, OR GIVE ME  
DEATH!" -Patrick Henry, Virginia House of Burgesses on March 23,1775  
=+=+> Ted Kennedy's car has killed more people than my gun! - Me

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Date: Sat, 9 Jul 94 22:56:23 -0500  
From: news.delphi.com!usenet@uunet.uu.net  
To: ham-policy@ucsd.edu

References <feherCsLyDy.GJB@netcom.com>, <pkwyZNj.edellers@delphi.com>,  
<CsMLt8.COM@wang.com>ug  
Subject : Re: Emergency TX on police freq.

Dave Bushong <dbushong@wang.com> writes:

>When it says "these rules" it means the rules that Part 97 is part 97  
>of.

When did the FCC clarify that "these rules" referred to the FULL Title 47, and not just to Part 97 -- the part in which the reference is found?

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Date: Sat, 9 Jul 94 23:14:43 -0500  
From: news.delphi.com!usenet@uunet.uu.net  
To: ham-policy@ucsd.edu

References <CsMEIs.KD4@world.std.com>, <070894162111Rnf0.78@amcomp.com>, <CsnC1H.GoK@world.std.com>, Subject : Re: Existing regulations limit our advancement.

David R Tucker <drt@world.std.com> writes:

>EVERY STATION MUST HAVE A CONTROL OPERATOR. PERIOD. A station under  
>automatic control need not have the control operator \*actually at the  
>control point\*, but it MUST have a control operator. He's the

Take out "control operator" and insert "licensee." An amateur station MUST be licensed, but a control operator is NOT needed under the few circumstances where the FCC allows automatic control; even outside those circumstances the control operator need not be the station's licensee, but must be authorized BY that licensee. And the licensee is still liable for violations that occur when the station is controlled by a different control operator or is under automatic control.

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Date: Sat, 9 Jul 94 23:00:58 -0500  
From: news.delphi.com!usenet@uunet.uu.net  
To: ham-policy@ucsd.edu

References <Ri0TZ7r.edellers@delphi.com>, <070894055422Rnf0.79b4@dreamland.com>, <CsMDwn.I04@world.std.com>  
Subject : Re: Existing regulations limit our advancement.

David R Tucker <drt@world.std.com> writes:

>I'm still having trouble. Say the repeater is quiet. Someone  
>attempts a reverse patch. As a direct consequence, an amateur  
>transmitter is keyed and begins radiating a signal, and there is no  
>guarantee that the person keying the transmitter is even licensed.

There is NO "person" keying the transmitter. A machine -- the repeater

controller -- is keying the transmitter, and it is doing so only because the repeater's licensee set it up to do so when certain events occurred. It is NOT a "direct consequence," but an indirect one.

Of course, since the machine is not repeating the signal of another amateur station, there IS the question of whether such a transmission is permitted when the station is under automatic control.

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Date: Sat, 9 Jul 94 23:10:41 -0500  
From: news.delphi.com!usenet@uunet.uu.net  
To: ham-policy@ucsd.edu

References <070894055422Rnf0.79b4@dreamland.com>, <CsMDw, <CsnAJ9.79J@world.std.com>  
Subject : Re: Existing regulations limit our advancement.

David R Tucker <drt@world.std.com> writes:

>If someone calls the reverse autopatch, it results in RF being  
>generated on an amateur band which is not under the control of any  
>licensed control operator. That's illegal. End of story.

No, if someone calls the autopatch, it results in the repeater control system answering the phone, possibly receiving DTMF tones, and -- if those tones conform to conditions set by the repeater's licensee -- then causing the repeater to transmit a signal. A lot less direct than a "normal" repeater operation, and also different in that the actual message transmitted is always one approved in advance by the licensee, NOT one composed by whoever placed the call.

Now, if you want to argue that such a transmission -- which is NOT repeating the signal of another amateur station -- is therefore not one that can be made under automatic control, I'd tend to agree. But that would also seem to apply to a repeater that comes on every ten minutes with a "VE Testing Saturday At 2 PM Mayfield High Auditorium W4XXX Repeater" synthesized message. Are those legal?

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End of Ham-Policy Digest V94 #303  
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